S.B. CIVIL MISC. APPEAL NO.621/2006

Date :: 11.05.2006

HON'BLE MR. JUSTICE BHAGWATI PRASAD

Mr.MRathore, for the appellant.

The deceased was 24 years old worker in a lime factory. Regarding his income, oral and documentary evidence Ex-P6 was produced before the Tribunal to establish that his income was Rs.4500/-. The Tribunal has considered that the oral evidence was not sufficient and no trustworthy documentary evidence of payment as made has been filed. Only a certificate has been filed that too have not been proved by the partner or manager with the support of account books, therefore, the learned Tribunal was of the view that the 24 years old young man could not have earned more than Rs.100/- per day, because he was hardly experienced to be a supervisor. That being the position, with the aid of multiplier by 17 a sum of Rs.4,08,000/- has been awarded.

No case is made out for interference. The misc. appeal therefore is dismissed.

[BHAGWATI PRASAD],J.

Ashwini/-